

REMARKS

Favorable reconsideration of the present patent application is respectfully requested in view of the foregoing amendments.

The Examiner is thanked for the consideration shown during the Telephone Interview of July 10, 2008 during which features from the specification were discussed for potentially amending the claims. A Telephone Interview Summary is being filed in conjunction with this Amendment.

In this Amendment claims 1, 14 and 25 are amended, claims 46-48 are added and no claims are canceled (claims 4, 8, 15, 21 and 32 were previously canceled). Claims 1-3, 5-7, 9-14, 16-20, 22-31 and 33-48 are now pending in the application. Support for the newly added claims and the amendments to claims 1, 14 and 25 can be found throughout the disclosure, for example, at page 5 of the specification. The amendment to claim 45 attends to a typographical error noted by the Office.

In the non-final Office Action of April 15, 2008 claims 1-3, 5-7, 9-14, 16-20, 22-31 and 33-45 are rejected under 35 U.S.C. §103(a) in view of JP2002-152570A1 (Tanaka) further in view of U.S. Published Patent Application 2005/0018766A1 (Iwamura). The amendments to claims 1, 14 and 25 obviates the pending §103 rejection. Accordingly, a full examination on the merits is respectfully requested.

Claim Objection

Claim 45 is amended herein to attend to the claim objection. Accordingly, withdrawal of the objection is respectfully requested.

Claim Amendments and Newly Added Claims

Claim 1 is amended to recite “permitting manual alteration of at least one parameter among the unique set of parameters to be used in capturing the digital image.” Claim 14 is amended to recite “means for permitting manual alteration of at least one parameter among the set of operational parameters to be used in capturing the digital image.” Claim 25 is amended to recite “logic configured to permit manual alteration of at least one parameter among the set of operational parameters to be used in capturing the digital image.” It is believed that the prior art does not teach or suggest this feature. For example, the Tanaka document states that the “image pick-up conditions can be set up only by choosing the initial image pick-up condition, without a user setting up image pick-up conditions by setting up image pick-up conditions comparatively frequently-used as initial image pick-up conditions.”

Newly added claim 45 recites “providing a toggle control to selectively display a novice parameter menu or an advanced parameter menu, said advanced parameter menu including a wider selection than said novice parameter menu of available parameters for creating the unique set of parameters.” Newly added claims 46-47 recite similar features.

It is believed that the prior art does not teach or suggest this feature. The Tanaka document, the Iwamura published patent application and the rest of the art of record are silent as to such a feature.

Deposit Account Authorization / Provisional Time Extension Petition

It is believed that the accompanying Fee Transmittal attends to the claim fees required for this paper, and no extension of time is necessary. However, to the extent necessary, a provisional petition for an extension of time under 37 C.F.R. §1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 50-0439 and please credit any excess fees to such deposit account.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. However, in the event there are any unresolved issues, the Examiner is kindly invited to contact applicant's representative, Scott Richardson, by telephone at (571)970-6835 so that such issues may be resolved as expeditiously as possible.

Respectfully submitted,



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